

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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KEVIN JULIAN RIZZI,

Petitioner,

v.

CLARK COUNTY DETENTION CENTER,

Respondent.

Case No. 2:24-cv-01831-RFB-EJY

ORDER

In this habeas corpus action brought under 28 U.S.C. § 2241 by Kevin Julian Rizzi, the habeas petition has not been filed and it has not been screened pursuant to Rule 4 of the Rules Governing Section 2254 Cases, because Rizzi has not paid the \$5 filing fee and he has not been granted *in forma pauperis* status. *See* ECF No. 5. Also, Rizzi has not provided the Court with notice of his correct mailing address since he was apparently released from custody. *Id.*

In an order entered November 13, 2024 (ECF No. 5), the Court ordered that Rizzi had thirty days—until December 13, 2024—to notify the Court of his correct mailing address and pay the \$5 filing fee for this action or file a new application to proceed *in forma pauperis*. Rizzi did neither. Rizzi has taken no action in this case since the order was entered on November 13 (in fact, since October 7, when he filed an *in forma pauperis* application that was on an inappropriate form and incomplete). In the November 13 order, the Court warned that this case would be dismissed without prejudice if Rizzi failed to comply with any of the requirements of that order.

IT IS THEREFORE ORDERED that this action is **DISMISSED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that a **CERTIFICATE OF APPEALABILITY** is denied, because jurists of reason would not find it debatable whether the Court is correct in dismissing this action.

1 **IT IS FURTHER ORDERED** that the Clerk of the Court is directed to **ENTER**
2 **JUDGMENT ACCORDINGLY AND CLOSE THIS CASE.**

3 **IT IS FURTHER ORDERED** that the Clerk of the Court is directed to make
4 **INFORMAL ELECTRONIC SERVICE UPON THE RESPONDENTS** by adding Nevada
5 Attorney General Aaron D. Ford as counsel for the respondents and providing the respondents an
6 electronic copy of all items previously filed in this case by regenerating the Notice of Electronic
7 Filing to the office of the Attorney General only. No response is required from the respondents.

8 DATED THIS 9 day of April, 2025.

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RICHARD F. BOULWARE, II,
UNITED STATES DISTRICT JUDGE